U.S. Serial No. 10/078,347

NIP-256

REMARKS

The Applicants request reconsideration of the rejection. Claims 1-9 and 14 are pending.

The Examiner objected to Claim 8, and rejected Claim 2, as reciting informalities noted on Page 2 of the Office Action. These claims have been amended, without narrowing their scope, to address the Examiner's concerns.

Claims 1, 3, 4, 7 and 14 were rejected under 35 USC §103(a) as being unpatentable over Tadashi et al. JP-2000-346988 (Tadashi). The Applicants traverse as follows:

As noted by the Examiner, Tadashi teaches a process and apparatus for the chemical decontamination of a material contaminated by a radioactive substance. Tadashi discloses to repeatedly immerse a metal member in the same tank (that is, a single oxidizing decontamination tank and a single reducing decontamination tank). Thus, Tadashi neither discloses nor suggests the limitation originally claimed in the independent claims, which requires that multiple reducing decontamination tanks be provided having different radiation control values. Thus, even if it were true that the person of ordinary skill would know to use a plurality of tanks instead of repeatedly

U.S. Serial No. 10/078,347

NIP-256

using the single tanks, as noted by the Examiner, the person of ordinary skill is not taught to provide the multiple tanks with different radiation control values.

In this regard, the Applicants note the Examiner's comment that a tube for transferring reducing reagent between tanks would be "required ... in order to maintain the use of the same decontamination reagents." Office Action at Page 3. However, there seems to be no suggestion, even if multiple tanks were to be used, to provide recirculation of decontamination reagents. In fact, Tadashi seems unconcerned with any such feature, neglecting to disclose the use of multiple tanks or the changeover of decontamination reagents. Moreover, as noted above, a feature of the present invention is that the multiple tanks have different radiation control values, even though a tube is provided for transferring a reducing decontamination agent from one reducing decontamination tank to another having different radiation control values. Thus, even if one were to provide such a tube with multiple tanks in the Tadashi system, there is no suggestion of the efficacy of transferring reagents of one radiation control value into a tank having a different radiation control value. Thus, the Applicants submit that

NIP-256

there is no prima facie case of obviousness raised by Tadashi with regard to the claims.

Claim 1 has been amended, however, to recite the additional patentable limitation of a carrier for taking out the metal member from the second reducing decontamination tank and placing the metal member in the first reducing decontamination tank, the respective reducing decontamination tanks, of course, having different radiation control values. By moving the metal member from the tank having the higher radiation control value to the tank having the lower radiation control value, it is expected that the radioactive concentration of the reducing decontamination agent in the second (higher value) tank is increased to an extent that it exceeds the maximum radiation control value for the tank. Thus, the tube for transferring the reducing decontamination agent into the second (higher value) tank replaces discharged radioactive agent in the second tank with agent having a relatively lower radioactivity. Thus, as set forth in the specification (for example) on Page 16, lines 1-21, the radioactive concentration of the reducing decontamination of the second (higher value) tank is reduced, and the agent in the second tank is replenished by the agent from the first (lower value) tank without introducing additional

U.S. Serial No. 10/078,347

NIP-256

decontamination agent into both tanks. Thus, the amount of decontamination agent to be discarded is reduced, which cuts down chemical decontamination costs.

These advantages are neither disclosed or suggested by Tadashi or any other reference of record.

Claim 4 has been amended substantially into independent form, including the limitations of original Claim 1, distinguishable as argued above (i.e., neglecting the arguments directed to the language added to Claim 1 with this Reply). Thus, the scope of Claims 5-6 and 8, deemed allowable in the Office Action, has not been changed despite minor amendments for clarity. Other claims have been amended to advance their clarity as well.

In view of the foregoing amendments and remarks, the Applicants request reconsideration of the rejection and allowance of the claims.

Respectfully submitted,

Daniel J. Stanger Registration No. 32,846 Attorney for Applicants

MATTINGLY, STANGER & MALUR 1800 Diagonal Road, Suite 370 Alexandria, Virginia 22314 (703) 684-1120 Date: July 19, 2004